

REMARKS

Claims 1-17 are pending in this application. By this Amendment, claims 8 and 12 are amended and new claim 17 is added. No new matter is added. Reconsideration based on the above amendments and following remarks is respectfully requested.

Applicant gratefully appreciates that the Office Action indicates that claims 2 and 7 contain allowable subject matter.

The Office Action rejects claims 12-16 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant amends claim 12 to obviate the rejection. Accordingly, Applicant requests that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

The Office Action rejects claims 1, 3-6 and 8-11 under 35 U.S.C. §102(b) as being anticipated by Kuke (DE3546082A1). Applicant respectfully traverses the rejection.

In particular, Applicant asserts that Kuke does not disclose or suggest a spectroscopic probe, including at least a sampling port, for illuminating a sample with an illuminating light and collecting light scattered by the sample, as recited in independent claim 1.

Furthermore, Kuke does not disclose or suggest a component for a spectroscopic probe, including at least a block of transparent material having multiple faces, at least two of the faces are angled faces on sides of the block for reflection of light from one to the other within the block, and for reflecting light between a sampling port and an input or output port of the spectroscopic probe, and at least two other faces are connected at different angles to the angled faces on the sides of the block and are perpendicular to edges of the block, as recited in independent claim 8.

Moreover, Kuke does not disclose or suggest a method of making a component for a spectroscopic probe, the method including at least steps of providing a reflective face on a

sheet of transparent material, and cutting the component from the sheet of transparent material at an angle to the face, thereby producing said block with at least one angled face, as recited in independent claim 12.

Finally, Kuke also fails to disclose a spectroscopic probe, including at least an optical fiber connected to an output port, for receiving and transmitting scattered light to external apparatuses, as recited in new independent claim 17.

Specifically, Kuke discloses in Fig. 1, an optical wavelength multiplexer or de-multiplexer intended for a section of a signal transmission system. Fig. 1 in Kuke shows a plan view of the device, while Fig. 2 shows a side view in the direction of arrow A. The signal in Kuke is transmitted over a waveguide 2 (presumably an optical fiber) to a remote station. In one direction, signals are transmitted at a wavelength λ_1 , while in the other direction they are transmitted at a wavelength λ_2 . The signals at wavelength λ_1 are generated by a laser 1 while the signals at λ_2 are detected by a photodiode 3. All the components are apparently held in a base plate 4.

However, the collimator 16 in Kuke only couples light to and from the waveguide 2, and therefore does not form a sampling port which illuminates a sample with an illuminating light and collects light scattered by the sample. Furthermore, the optically transparent block 7 in Kuke does not include at least two faces that are angled faces on sides of the block, and at least two other faces that are connected at different angles to the angled faces on the sides of the block and are perpendicular to edges of the block

Finally, nowhere in Kuke is a method disclosed or suggested that includes at least steps of providing a reflective face on a sheet of transparent material, and cutting the component from the sheet of transparent material at an angle to the face, thereby producing said block with at least one angled face. For example, nowhere in Kuke is it disclosed or suggested that a plurality of portions of transparent material are formed by cutting a sheet of

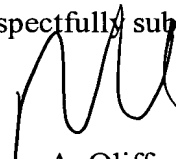
transparent material in specific directions in order to produce a probe component block with at least one angled face.

Because Kuke fails to disclose each and every feature as Applicant's claimed invention, Applicant submits that independent claims 1, 8, 12 and 17 define patentable subject matter. Claims 2-5, 9-11 and 13-16 depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102(b) be withdrawn.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-17 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



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